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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,789	09/21/2001	Sunday Orhomuru	06-0713-SOR.RA	8994

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WILLIAMSON INTELLECTUAL PROPERTY LAW, LLC
1870 THE EXCHANGE, SUITE 100
ATLANTA, GA 30339

EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/862,789

Applicant(s)

ORHOMURU, SUNDAY

Examiner

LaShonda T. Jacobs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on December 8, 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This Office Action is in response to Applicant RCE Amendment filed on December 8, 2006.

Claims 1 and 2 have been amended. Claims 1-4 are presented for further examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Christensen (U.S. Pat. No. 6,662,193) in view of Kloba et al (hereinafter, "Kloba", U.S. Pat. No. 6,779,042).

As per claims 1 and 2, Christensen discloses a systems or applications to transfer data using wireless mobile phone and any other wireless mobile devices, that are able to access, search, post, update and delete any type of data files or database using wireless mobile phone and any other wireless mobile devices and also able to access, search, post, update and delete the same files or database files online or offline or both online and offline using computer on a very secure environment with data integrity (abstract, col. 6, lines 59-67, col. 7, line 1 and col. 9, lines 48-61; see also claim 1, col. 12, lines 61-67; Christensen discloses methods and systems for gathering, updating, changing etc. data within a database through a PDA or any hand-held wireless device (mobile phone). The user is able to make changes and update the database with

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new data information. Therefore, Christensen does teach a system and method to transfer data using wireless mobile phone and any other wireless mobile devices, that are able to access, search, post, update and delete any type of data files or database using wireless mobile phone and any other wireless mobile devices and also able to access, search, post, update and delete the same files or database files online or offline or both online and offline using computer on a very secure environment with data integrity).

However, Christensen does not explicitly disclose:

- wherein MIME type HTML elements are combined with scripting language elements, and wherein a web page is dynamically generated each time it is requested by a browser.

Kloba discloses a system, method, and computer program product for enabling on-device servers, offline forms and dynamic ad tracking on mobile devices comprising:

- wherein MIME type HTML elements are combined with scripting language elements, and wherein a web page is dynamically generated each time it is requested by a browser
(col. 4, lines 58-62, col. 14, lines 56-67 and col. 15, lines 1-20).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Christensen by generating HTML elements within a web page for the purpose of enabling mobile devices to download and run applications/web pages on the mobile devices while on-line or off-line.

3. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen in view of Kloba and in further view of Covington et al (hereinafter, "Covington", U.S. Pub. No. 2003/0154135).

As per claims 3 and 4, Christensen in view of Kloba discloses the invention substantially as claims discussed above.

However, Christensen in view of Kloba does not explicitly disclose:

- WAP Shopping Site with catalog system that allows for the displaying, browsing and searching of products with WAP shopping cart that allows visitors to add, view and delete items ordered and allows visitors to checkout, when visitors check out they are presented with a secure page to supply their personal information with built in 24 Hour a Day, 7 Days a Week Support System providing customers with feedbacks and communications, using database like Access Database, SQL Server, Oracle Server etc, and customers are also able to shop online on this shopping site using their computers.

Covington discloses interactive in-store/in-mall and on-line shopping system and method comprising:

- WAP Shopping Site with catalog system that allows for the displaying, browsing and searching of products with WAP shopping cart that allows visitors to add, view and delete items ordered and allows visitors to checkout, when visitors check out they are presented with a secure page to supply their personal information with built in 24 Hour a Day, 7 Days a Week Support System providing customers with feedbacks and communications, using database like Access Database, SQL Server, Oracle Server etc, and customers are also able to shop online on this shopping site using their computers (paragraphs 0012, 0076, 0083, 0101 and 0130-0131); Covington teaches a user accessing an online shopping website that allows the user to browse, add and delete

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items to a shopping cart. Once the user checks out, he/she is presented with a page to enter the billing information if the information is not already stored).

Given the teaching of Covington, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Christensen in view of Kloba to include access to an online shopping website to allow a user to browse, add and delete products/items to a shopping cart in a timely and efficient manner thereby providing a system for easy and flexible shopping.

Response to Arguments

5. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ltj
March 16, 2006

LaShonda T Jacobs
Examiner
Art Unit 2157


ARIELLE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100